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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|--|-------------|----------------------------|---------------------|------------------|
| 10/756,160 | 01/12/2004 | Parvathanathan Subrahmanya | 040145 | 3387 |
| 23696 | 7590 | 05/16/2006 | EXAMINER | |
| QUALCOMM, INC 5775 MOREHOUSE DR. SAN DIEGO, CA 92121 | | | GARY, ERIKA A | |
| | | | ART UNIT | PAPER NUMBER |
| | | | 2617 | |

DATE MAILED: 05/16/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

| | | | |
|------------------------------|--------------------------------------|---|--|
| Office Action Summary | Application No. 10/756,160 | Applicant(s) SUBRAHMANYA, PARVATHANATHAN | |
| | Examiner Erika A. Gary | Art Unit 2617 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on 09 May 2006.

2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) 1-10, 13-22, 25-34, 37 and 40 is/are pending in the application.

4a) Of the above claim(s) 11, 12, 23, 24, 35, 36, 38, 39 and 41-53 is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) 1-4, 6, 7, 9, 10, 13-16, 18, 19, 21, 22, 25-28, 30, 31, 33, 34, 37 and 40 is/are rejected.

7) ☒ Claim(s) 5, 8, 17, 20, 29 and 32 is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☒ The drawing(s) filed on 1/12/04 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) ☐ All b) ☐ Some * c) ☐ None of:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

| | |
|---|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____. | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. _____. 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) 6) <input type="checkbox"/> Other: _____. |
|---|--|

DETAILED ACTION

Election/Restrictions

1. Applicant's election without traverse of Group 1 in the reply filed on May 9, 2006 is acknowledged.

Claim Objections

2. Claims 38 and 39 are objected to because of the following informalities: they should be labeled as "cancelled" as per Applicant's election to Group 1 in the response to restriction requirement filed 5/9/06. Appropriate correction is required.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-4, 6, 7, 9, 10, 13-16, 18, 19, 21, 22, 25-28, 30, 31, 33, 34, 37 and 40 are rejected under 35 U.S.C. 103(a) as being unpatentable over Heidari, US Patent Number 6,711,413 (hereinafter Heidari) in view of applicant's submission of prior art, Collins et al., US Patent Number 6,157,815 (hereinafter Collins).

Regarding claims 1, 13, 25, 37, and 40, Heidari discloses a method for operating a wireless communications device, comprising operations of: responsive to wakeup from a reduced power sleep state, performing operations comprising: detecting signal

quality of one or more prescribed signals received by the wireless communications device, receiving signals including scheduled network transmission of a call-paging message where the number of pages varies with the detected signal quality and wherein the call-paging message content indicates whether the network has received an incoming call [abstract; col. 4: lines 12-18, 39-46; col. 5: line 62 – col. 6: line 6].

What Heidari does not specifically disclose is the paging messages also include a repeated network transmitted broadcast paging message that occurs multiple times for each scheduled transmission of the call-paging message; and wherein the broadcast-paging message content indicates whether the network has announced availability of on-demand broadcast content. However, Collins teaches these limitations [col. 10: line 30 – col. 11: line 65].

Heidari and Collins are combinable because they are from the same field of endeavor, that is, paging a wireless communications device upon wakeup from a reduced power sleep state. At the time of the invention, it would have been obvious to one of ordinary skill in the art to modify Heidari to include Collins, as it is known to monitor for broadcast paging messages as well as call paging messages.

Regarding claims 2, 14, and 26, it is inherent in the art to compute a next wakeup time prior to re-entering the sleep state in order to minimize a total time of receiving paging messages.

Regarding claims 3, 15, and 27, Collins discloses the operations further comprise the wireless device obtaining information including: a time of network transmission of the next call-paging message, and a schedule for network transmission of the repeating

broadcast-paging message; performance of the computing operation utilizes data including the obtained information [col. 10: line 30 – col. 11: line 65].

Regarding claims 4, 16, and 28, Collins discloses planning an order of receiving the call-paging message and the broadcast-paging messages to minimize the total time [col. 10: line 30 – col. 11: line 65].

Regarding claims 6, 7, 18, 19, 30, and 31, Heidari discloses re-detecting signal quality of one or more prescribed signals received by the wireless communications device; where the second number varies inversely with the re-detected signal quality [col. 7: lines 46-60].

Regarding claims 9, 21, and 33, Heidari discloses evaluating the signal quality per a predetermined criteria; establishing the first number according to results of the evaluation [col. 7: lines 46-60].

Regarding claims 10, 22, and 34, Collins discloses the wireless communications device re-entering the sleep state substantially immediately after receipt of the call-paging message and the first number of instances of the broadcast-paging message [col. 10: line 30 – col. 11: line 65].

Allowable Subject Matter

5. Claims 5, 8, 17, 20, 29, and 32 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Erika A. Gary whose telephone number is 571-272-7841. The examiner can normally be reached on Monday-Thursday and alternate Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Marsha Banks-Harold can be reached on 571-272-7905. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

EAG
May 11, 2006


ERIKA A. GARY
PRIMARY EXAMINER